

REMARKS

Applicants thank the Examiner for the courtesy of a personal interview on July 14, 2004.

The Office Action dated April 21, 2004 has been received and carefully noted. The above amendments to the claims, and the following remarks are submitted as a full and complete response thereto. Claims 2-7 are pending in this application. In the outstanding Office Action, claim 7 was rejected under 35 U.S.C. §102(b) and claims 2-6 were rejected under 35 U.S.C. §103(a) (two separate rejections). In view of the above amendments and the following remarks, Applicants request reconsideration of claims 2-7.

35 U.S.C. §102(b)

Claim 7 was rejected under 35 U.S.C. §102(b) as being anticipated by Nishida (U.S. Patent No. 5,210,566). In making this rejection, the Office Action asserts that Nishida teaches each and every element recited in claim 7. Applicants respectfully disagree and request reconsideration of this rejection..

Claim 7 recites in part:

wherein the movement of the object is detected by a plurality of motion vectors, each motion vector corresponding to one of a plurality of detecting areas set in an imaging area of the imaging device

As discussed and agreed in the interview Nishida fails to teach and/or suggest that "the movement of the object is detected by a plurality of motion vectors, each motion vector corresponding to one of a plurality of detecting areas set in an imaging area of the imaging device." Consequently, this reference fails to teach and/or suggest the invention recited in claim 7. Therefore, Applicants respectfully request the withdrawal of the rejection of claim 7 under 35 U.S.C. 102(b).

35 U.S.C. 103(a)

Claims 2-5 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishida in view of Kinjo (U.S. Patent No. 5,289,227). The Office Action asserted that Nishida discloses all the features recited in claims 2-5 except the exposure control circuit 34 that controls the shutter driver, the shutter mechanism, the diaphragm and the flash devices. The Office Action utilizes Kinjo to teach and/or suggest this feature. Applicants respectfully traverse the rejection of claims 2-5.

As discussed and agreed in the interview Nishida fails to teach and/or suggest that “the movement of the object is detected by a plurality of motion vectors, each motion vector corresponding to one of a plurality of detecting areas set in an imaging area of the imaging device.” As also discussed and agreed in the interview, Kinjo also fails to teach and/or suggest that “the movement of the object is detected by a plurality of motion vectors, each motion vector corresponding to one of a plurality of detecting areas set in an imaging area of the imaging device.” Consequently, the combination of these two references fails to teach and/or suggest the invention recited in claims 2-5. Therefore, Applicants respectfully request the withdrawal of the objection to claims 2-5 under 35 U.S.C. 103(a).

Claim 6 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Nishida in view of Nakano (U.S. Patent No. 5,043,816). The Office Action asserts that the combination of Nishida and Nakano teach and/or suggest all the features recited in claim 6. Applicants respectfully disagree.

As discussed and agreed in the interview Nishida fails to teach and/or suggest that “the movement of the object is detected by a plurality of motion vectors, each motion vector

corresponding to one of a plurality of detecting areas set in an imaging area of the imaging device." As also discussed and agreed in the interview, Nakano also fails to teach and/or suggest that "the movement of the object is detected by a plurality of motion vectors, each motion vector corresponding to one of a plurality of detecting areas set in an imaging area of the imaging device." Consequently, the combination of these two references fails to teach and/or suggest the invention recited in claim 6. Therefore, Applicants respectfully request the withdrawal of the objection to claim 6 under 35 U.S.C. 103(a).

Conclusion

Applicants' remarks have overcome the objections and rejections set forth in the Office Action dated April 21, 2004. Applicants amendment of claim 7 overcomes the objection to claims 2-7. Applicants' remarks have distinguished claim 7 from Nishida and thus overcome the rejection of claim 7 under 35 U.S.C. §102(b). Applicants' remarks have also distinguished claims 2-5 from the combination of Nishida and Kinjo and thus overcome the rejection of these claims under 35 U.S.C. §103(a). Claim 6 is also distinguished from Nishida and Nakano, thereby overcome the rejection of claim 6 under 35 U.S.C. §103(a). Accordingly, claims 2-7 are in condition for allowance. Therefore, Applicants respectfully request consideration and allowance of claims 2-7.

Applicants submit that the application is now in condition for allowance. Should the Examiner believe the application is not in condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

In the event this paper is not considered to be timely filed, Applicants respectfully petition for an appropriate extension of time. The Commissioner is authorized to charge

payment for any additional fees which may be required with respect to this paper to
Counsel's Deposit Account 01-2300, referencing attorney docket number 107314-08005.

Respectfully submitted,
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